

ACTION PLAN FOR THE DEVELOPMENT OF AN AUTOMATED WORKFLOW SOLUTION (AWFS)

PREPARED BY

Fulvio Carbonaro

SUBMITTED TO

Central Department for
International Trade Policies
Foreign Trade Policies Sector
Ministry of Foreign Trade

SUBMITTED BY

Nathan Associates Inc

UNDER CONTRACT NO.

PCE-I-00-98-00016-00

Task order 827

April 9, 2003



Table of Contents

	Page
Executive Summary	2
1. Introduction	4
2. Background	4
3. Business Processes and Information Requirement	5
4. Need for an Automated Workflow Solution	8
5. Key steps in the Implementation of the AWFS	9
5.1 Understanding of Business Processes and Information Requirements	10
5.2 Evaluation of Commercial Off-The-Shelf Solutions (COTS)	10
5.2.1. Functionality Required	11
5.2.2. Technology Platform	12
5.2.3. Candidate COTS	
6. Implementation Activities	13
7. Resource requirements and Cost Estimates	14
7.1 Software	14
7.2 Hardware	14
7.3 Technical Assistance Resources	15
Attachment 1 – Sample business Processes	16
Attachment 2 – Off-the-Shelf Case Management software	21
Attachment 3 – AWFS Implementation Plan – Gantt Chart	22
Attachment 4 – AWFS Implementation Plan – Work Break Down structure	23
Attachment 5 – High Capacity Scanners	24
Attachment 6 – Off-the-Shelf Case Management Software Indicative Prices	25
Attachment 7 - Projected Level of Effort	26
Appendix A – Trip Report by Lance Graef	27

Executive Summary

This report presents a Draft Action Plan to implement an Automated Workflow Solution (AWFS) for the Central Department for International Trade Policies (CD/ITP) of the Ministry of Foreign Trade (MOFT) of Egypt.

CD/ITP is charged with implementing the World Trade Organization (WTO) trade remedy agreements on behalf of Egypt. The WTO trade remedy agreements establish requirements for administrative practices that involve a set of formal procedures for the acceptance of petitions, processing, investigation, adjudication, and subsequent administrative actions in three main areas: Antidumping, Safeguards and Countervailing Duties. The actions and steps taken in the processing of each of case are determined in part by law and regulations and in part by established practices. Each of these actions gives rise to a number of business processes, i.e. lower level activities such as generating a report, sending a questionnaire or a notification, meeting with a complainant, visiting a plant, etc. and each step and sub-step in the determination of a case is dependent of the receipt of certain documents from external parties and/or the generation of documents by CD/ITP.

Since its inception CD/ITP has processed 89 trade remedies cases of which 49 cover anti-dumping, 12 subsidies, and 28 safeguards but more than a third (36 out of 89) were initiated in the last two years and the growth trend is expected to continue. Given the fact that each case processes and generates very large amounts of paper documentation, most of it confidential in nature, and that all work is currently done manually, it is clear that appropriately applied workflow automation tools will drastically reduce congestion, improve efficiency and promote transparency.

Building on the analysis already done by the ATR project to date and on additional research it is apparent that commercially available off-the-shelf software used by government organizations and private sector firms with similar case management processing requirements will fulfill in whole or in part the needs of CD/ITP and this report recommends that an appropriately selected package becomes the core of the AWFS for CD/ITP

The introduction of a full AWFS requires two key activities to be completed first: (a) optimization of business processes and (b) evaluation of commercial off-the-shelf solutions (COTS). The first activity implies the documentation, standardization and streamlining of all the office procedures; the identification and classification of external and internally generated documents; and the identification of key tracking information. The second activity involves evaluating and selecting a commercial package that fulfills the key functional requirements of CD/ITP, namely: case management, calendaring and docketing; storing and processing of all common electronic document formats; physical records management; imaging; full-text searching and indexing, including Arabic text;

custom data fields; flexible ad-hoc reporting; event-driven document assembly and secure intranet /extranet/internet access.

The remainder of the AWFS implementation includes a number of tasks such as pilot installation, training, hardware and software procurement, software configuration and arabization, full deployment etc. whose timing and content are discussed in the body of the report and are presented in the form of a project plan in Gantt chart format. The key objective being the implementation of an efficient workflow system with the full participation of CD/ITP staff in adapting and configuring it to meet their needs.

Hardware specifications and numbers of hardware components will be determined with more precision as a result of the software evaluation and the estimation of transaction volumes but projected processing requirements are expected to be comfortably met by current mainstream technology.

1 Introduction

This report presents a Draft Action Plan to implement an Automated Workflow Solution (AWFS) for the Central Department for International Trade Policies (CD/ITP) of the Ministry of Foreign Trade (MOFT) of Egypt. This work was performed under the Assistance for Trade Reform (ATR) project financed by USAID under the direction of its prime contractor Nathan Associates, Inc. and its subcontractor Pal-Tech, Inc.

This report draws on the work performed to date under the ATR project by Mr. Lance Graef, Trade Remedies Specialist and Dr. Alaadin Mosry, ATR's resident IT specialist and on interviews with CD/ITP management and staff. Particularly important insight was gained from interviews with Mr. Abdel Rahman Fawzi, Head of CD/ITP, Mr. Mamdouh Hagag, General Manager, Subsidy & Countervailing Duties Department and Mr. Mowafak El-Fayoumie, General Manager, Anti-Dumping Department. Additionally the author would like to thank Dr. Alaadin Mosry for his assistance with facilitating meetings and interviews and for providing extremely helpful comments and suggestions, and to Mr. Timothy S. Buehrer, Chief of Party for overall guidance and support.

2 Background

The Central Department for International Trade Policies (CD/ITP) of the Ministry of Foreign Trade (MOFT) is charged with implementing the WTO trade remedy agreements on behalf of Egypt. The WTO trade remedy agreements establish requirements for administrative practices that involve a set of formal procedures for the acceptance of petitions, processing, investigation, adjudication, and subsequent administrative actions.

CD/ITP's work covers three main areas:

- **Antidumping (AD)**, to remedy the introduction and marketing within Egypt of goods at an "unfair" price (a price lower than either the sales price in the home country of production or lower than the producer's cost of production)
- **Countervailing Duties (CVD)**, to remedy the injurious impacts on a competitor domestic industry in Egypt of products that are sold at a price lower than the home market price or the cost of production because of the subsidization of such costs by the government of the producing country
- **Safeguards (SFG)**, intended to deal with the injurious effects on a competitor industry in Egypt because of increased imports occurring because of tariff or other concessions made by Egypt and which are the "unforeseen" impact of such concessions

Four General Departments, the General Department for Safeguards & Injury Calculations (GD/SIC) , the General Department for Subsidy & Countervailing Duties (GD/SCD), the

General Department for Anti-Dumping (GD/AD) and the General Department for Trade Remedies Information (GD/TRI) perform the bulk of CD/ITP work. They conduct investigations of unfair trade practices (dumping, subsidy etc); calculate and apply the adjustments required to ensure a fair comparison between export price and normal value; determine if unfair practices are occurring and calculate its amount; assess injury and formulate provisional measures; provide assistance to Egyptian producers and industries in meeting filing requirements in unfair trade practices cases and monitor trade, particularly imports, in order to have supporting evidence for claims and as part of its work in the area of safeguards. See Appendix A for a more detailed description of CD/ITP operations.

3 Business Processes and Information Requirements

As discussed in Mr. Lance Graef report in Appendix A, the actions and steps taken in the processing of each of case are determined in part by law and regulations and in part by established practices. A non-exhaustive list of actions along with prescribed deadlines in elapsed time, based on the analysis done to date by Mr. Graef and Dr. Morsy, are listed in the following table:

Acceptance Stage	7 days
Initiated by an application	
Advising applicant of needed information	
Analyzing the basis for the application	
Decision to accept/reject application	
Initiation Stage Leading to an Initiation Report	40 days
Interested domestic parties are identified	
Data on trade in the relevant good is collected and analyzed	
A draft initiation report for the Advisory Committee is prepared	
Advisory Committee recommends that a proceeding be initiated	
Minister accepts or rejects recommendation to initiate a proceeding	
Data Gathering Stage Leading to an Essential Facts Report	6 – 12 months
Questionnaires are served on interested parties	
Responses to questionnaires are received	
On-site verification by investigating authorities	
Consideration of voluntary undertakings	
Hearings	
Determination of injury	
Determination of proposed remedy	
Institution of provisional measures, if appropriate	
Essential Facts Report	
Comments on the Essential Facts Report	
Approval of the Essential Facts Report by the Advisory Committee	
Final Report Stage	unlimited
Report submitted to Minister for approval	
Imposition of definitive duties in line with Minister's decision	

Appeal of Minister's determination to the Administrative Court	
Appeal of Administrative Court decision to the High Administrative Court	
Notification to WTO of Trade Remedy Action	
Subsequent requested review of antidumping duties	
Sunset Review of trade remedies	

Each of these actions gives rise to a number of business processes, i.e. lower level activities such as generating a report, sending a questionnaire or a notification, meeting with a complainant, visiting a plant, etc. An example of a detailed breakdown of these steps in the first phase is provided in Attachment 1 in the form of a Gantt chart in Microsoft Project format. A non-exhaustive list of business process for some key actions in a case determination are also shown in the table below:

Initiation of Investigation	<ul style="list-style-type: none"> • Filing of complaints including pre-filing review • Determining whether complaint has been properly filed on behalf of domestic industries
Collecting Information	<ul style="list-style-type: none"> • Conducting investigations • Designing and producing questionnaires • Sending questionnaires to interested parties, and sampling if required (foreign/domestic) • Processing responses to questionnaires • Conducting verification visits (to foreign/domestic producers) • Collecting information from sources other than questionnaires • Where information not submitted <ul style="list-style-type: none"> - Making decisions based on the facts available - Using of adverse inferences, burdens of proof.
Calculation of Dumping Margin and Subsidy Amount	<ul style="list-style-type: none"> • Establish parameters of investigation • Identify firms to be investigated • Identify export and comparison market sales data to be collected • Identify sales to be investigated to determine (constructed) export price • Determine whether sales are export price or constructed export price • Calculate export/constructed export price • Identify categories of sales to be excluded from calculation of normal value • Determine whether sales in the comparison market were made at prices below cost of production • Calculate ex -factory normal value/constructed normal

	value or calculate amount of subsidy <ul style="list-style-type: none"> • Fair comparison -Adjust all differences between normal value and export price, (such as, quality, quantity adjustments) in order to establish the margin of dumping/amount of subsidy
Analysis of Trade Injury and Causality	<ul style="list-style-type: none"> • Determine "like product" • Determine domestic industry • Measure and describe key data points • Decide whether to conduct cumulative assessment of imports • Analyze and evaluate evidence to determine injury or threat of injury and causality.

Each step and sub-step in the determination of a case is dependent of the receipt of certain documents from external parties and/or the generation of documents by CD/ITP. All documents related to the case must be filed accurately and maintained for retrieval, inspection, disclosure, and review. This whole set of documents constitute a “record” for both administrative review (by the Minister) or appellate review (by the Administrative Court). Examples of documents to be retained for such purposes are:

- Processing history of Case
- Questionnaires
- Party Responses to Questionnaires
- Description of “Best Available Information”
- Hearing Notice
- Transcript of Hearing
- Voluntary Undertakings Received - text
- Report of Investigation
- Determination of Injury
- Documents received from Parties
- Interventions by Non-Parties
- Determination of Dumping, Subsidies, Increased Imports
- Determination of Injury/Threat Thereof
- Appeal to Administrative Report
- Sunset Review – findings

Also, for each case there is tracking information that needs to be kept current as a case proceeds through the various stages of its life cycle, this includes names of interested parties, attorneys, organizations and individuals involved, etc. as well as key event dates such as those listed below:

- Date Application Received
- Date Accepted/Deferred for Further Information/Rejected

- Date of Initiation of Investigation
- Notice to Foreign Governments - date(s)
- Notice of Investigation - date
- Service of Questionnaires - dates
- On-Site Verification – date(s)
- Hearing Notices – date(s)
- Voluntary Undertakings Received - dates
- Determination of Dumping, Subsidy, Increased Imports
- Determination of Injury/Threat - date
- Determination of Definitive Duties – date(s)
- Imposition of Definitive Duties – date(s)
- Sunset Reviews - dates
- Appeal to Administrative Court - date

Naturally cases need to be identified and classified by key items such as:

- Case Number
- Applicant (Individual/Firm, Attorney or other Representatives)
- Type of Case (AD, CVD, SFG)
- Respondent firms (AD, SFG) or countries (CVD);
- Products/Goods Involved – usually by HST code;

The above lists of business processes and information requirements are not meant to be exhaustive but to provide the necessary background to orient the research and evaluation of possible solutions. A required activity in the implementation of the AWFS involves reviewing, validating and documenting the business processes to be tracked, the documents to be generated and received and information to be tracked about each case.

4 Need for an Automated Workflow Solution

To date the number of cases processed is not extremely high. Since its inception CD/ITP has processed 89 trade remedies cases of which 49 cover anti-dumping, 12 subsidies, and 28 safeguards. Nevertheless each case processes and generates large amounts of paper documentation. Also, more than a third (36 of the 89 cases) were initiated in the last two years and the growth trend is expected to continue as the role of CD/ITP is better understood in the Egyptian commercial environment. Currently all work is done manually with the assistance of word processing and spreadsheet software. Most confidential and non-confidential information is circulated via paper documents. Paper files tend to be voluminous and often multiple copies of key documents are produced. Paper based processes are labor intensive and error prone and often cause files to be lost or misplaced.

It is clear that appropriately applied workflow automation tools will drastically reduce congestion, improve efficiency and promote transparency. In fact, although the staff in

each department is familiar with the routine business processes in the determination of a case, the introduction of an automated workflow solution will make that knowledge easier to transmit and will free the staff from some of the most repetitive and less analytical tasks. Additionally, a key benefit to be derived from the introduction of a AWFS is that it assures that CD/ITP officials:

- Are aware of their obligations in the processing of an application for trade remedies.
- Know what specific action(s) need to be taken in each step of the process.
- Actually take the actions required at the specified times and meet time deadlines.
- Record actions taken for purposes of any administrative review or judicial appeal.

5 Key steps in the Implementation of the AWFS

In order to design and implement an effective AWFS for CD/ITP the following two activities must be completed first:

- **Understanding and optimizing business processes**
- **Evaluation of commercial off-the-shelf solutions (COTS)**

In the normal Systems Development Life Cycle (SDLC) these activities would be performed sequentially since the definition of the business processes and associated information requirements are needed to develop systems specifications required for the evaluation. In this case however, given our current understanding of the business requirements of CD/ITP and the availability of a multitude of off-the-shelf packages that are likely to satisfy those requirements a certain amount of overlap in the timing of these two tasks is acceptable.

5.1 Understanding of Business Processes and Information Requirements

This activity involves building on the work already performed by Mr. Graef, Dr. Morsy and CD/ITP staff by gathering and reviewing the information and documents mentioned in the previous section. This activity involves the following 4 tasks:

- **Documentation of business processes** - Documentation, standardization and streamlining of all the business processes and office procedures as they are currently performed so that they can eventually be loaded on the AWFS database. It is likely that during this task some processes may be found unnecessarily cumbersome and possibly altogether unnecessary.
- **Identification of generated documents** - Inventory and classification (and conversion to electronic format if necessary) of all the standard documents generated by CD/ITP in the determination of a case (questionnaires, forms,

notices, letters, report format, excel spreadsheets, etc.) These standard templates will be required for automatic document assembly in the AWFS.

- **Identification of external documents** - Categorization and quantification of the documents that are typically requested and received from external entities. Based on the results of this task, CD/ITP will be able to: (a) determine which documents cannot be expected to arrive in electronic formats; (b) determine the volume of non-electronic documents that need to be imaged and or stored in physical form; and (c) be able to institute a policy that enforces the receipt of documentation in electronic format to the extent possible.
- **Identification of the case tracking information** - items such as case number, case type, event dates, parties, etc. that are absolutely critical to maintain throughout the case life-cycle and that need to be accommodated by the AWFS.

This activity should be performed by CD/ITP staff with assistance from the ATR project to insure that the key processes and documents are properly identified and incorporated in the AWFS. The ATR project will provide Business Process Reengineering (BPR) experts to clarify the substance of the business processes and to collect the data required for their automation in the AWFS.

5.2 Evaluation of Commercial Off-The-Shelf Solutions (COTS)

Even though the previous activity will finalize and formalize the business processes and information requirements, as discussed in section 2, they are currently understood to a degree that will allow the project to proceed with the evaluation of commercially available off-the-shelf solutions (COTS).

5.2.1 Functionality Required

The AWFS for CD/ITP should be able to provide the following capabilities:

- **Case management, Calendaring and Docketing.** This functionality is the heart of the CD/ITP automated workflow system. The system must keep track of the status of a case through each step, deadlines that must be met, documents that must be received, documents, letters, notices, etc. that must be generated, location of electronic and paper documents, etc. It must have the ability to set up events and deadlines related to a case that can be linked together to reflect internal and external rules and the ability to visualize a case's progress and processes coupled with the ability to access all related information. The system should be able to map future events as well as provide the historical record of all the key events in the case.
- **Processing of all common electronic document formats.** Ability to process, track, store, and retrieve all the documents that are received and generated by CD/ITP in

all the electronic formats common today (word processing documents, spreadsheets, scanned images, charts, pictures, videos, audio and different kinds of dynamic content)

- **Records management.** Ability to manage physical records with check-in/check-out procedures from secure storage, tracking the location of each physical file related to each case, with the use of bar codes or similar electronic identification technology.
- **Imaging.** Ability to do scanning and imaging (conversion to electronic images) of paper documentation, to track and store imaged documents and integrate them with internally generated documents.
- **Full-Text searching and indexing.** Full text-searching capability by automatically indexing the contents of documents and the ability to locate documents containing certain words or combination of terms. Text-searching capability should incorporate the ability to find, index and display text in Arabic.
- **Customizable data fields.** Ability to define customized data fields to satisfy peculiarities of CD/ITP processes that may not be built-in. Custom data fields should accommodate most common formats and should be available for searching and reporting. Custom data fields should be able to accommodate Arabic text.
- **Flexible ad-hoc reporting.** Ability to customize and generate reports on demand, in different formats and on different data items, including custom fields.

The following capabilities would be also desirable:

- **Event-driven document assembly.** Ability to automatically generate standard documents such as official notices from pre-stored document templates with the specific information related to the event in a case such as names, case number, definitions, references, etc.
- **Intranet /extranet/internet portal.** Ability to provide secure access by authorized users to the system via web browsers. Intranet capability permits secure access to CD/ITP staff from other locations. Extranet capability allows secure access to interested parties and other external entities with proper authorization. Internet capability allows access to the public with or without registration to public information.

5.2.2 Technology Platform

The AWFS should be able to run in the current CD/ITP technological environment to minimize need for training of the IT staff in a different platform; The current IT environment is based on LANs running Windows NT/2000 for servers; Windows

98/2000/XP for desktops; MS SQL Server as Database; and MS Office as office automation software, all running on Pentium class hardware.

5.2.3 Candidate COTS

A preliminary review of the available off-the-shelf software that is likely to meet the above functional and technical requirements, in whole or in part, has yielded an extensive list of packages (see Attachment 2). All of these packages run on the CD/ITP technical platform, use MS SQL server as the back-end database and all of them either directly incorporate the functionality required or provide the ability for integration with other specialized tools.

6 Implementation Activities

Besides the key steps already addressed in the previous section, i.e. (a) business process definition and (b) COTS evaluation, the successful implementation of the AWFS will require the development of a complete project plan. The high level activities of the AWFS project are described below:

- **Refine Scope of the AWFS project.** This first task involves defining the scope of the implementation project and refining the scope of the AWFS. This task has been essentially completed with this report and Mr. Graef's report (Appendix A). Additional project initiation activities involve ensuring sponsorship within CD/ITP and USAID and defining and securing the core resources required to carry out the project.
- **Business Processes and Information Requirements.** As discussed in the previous section this activity is absolutely critical to the project since it will permit a better understanding of the resource requirements and more accurate estimates of costs and level-of-effort in each of the subsequent tasks. It involves analyzing and documenting business processes, collecting document templates, identify external documents and identify case tracking information required. The business process analysis performed in this task by substantive and process experts through the ATR project will undoubtedly streamline and improve existing procedures and introduce the new procedures necessitated by the AWFS.
- **COTS Evaluation and Selection.** As discussed in section 4 this is the other key activity that is required to estimate costs and resource requirements with more precision so that financial and other resources can be committed with higher degree of confidence. This activity involves drafting preliminary specifications, producing the list of candidate COTS, comparing features and functionality, and selecting the most appropriate package(s). The results of this task, along with the results of the business process analysis will be the basis for the final selection of the package to be used.

- **Pilot.** Considering the lack of experience of the CD/ITP with this or other kinds of case management software as well as lack of exposure to more disciplined and predefined business processes involving information technology, it is highly recommended that a pilot stage be designed in the implementation process. The objective of this activity is to address and resolve all the issues, like resistance to change or incorrect configuration of the system for CD/ITP, that are likely to become serious obstacles during later deployment stages. This task involves identifying a pilot group of CD/ITP staff that will spearhead the introduction of the software. They will be trained by the vendor; will configure it and adapt it to work in CD/ITP; load the business process definitions and standard document templates; and eventually, train the remainder of the staff. This activity also involves procuring and installing a demo or trial version of the software and making it usable by Arabic users;
- **Documentation / Arabization.** Introducing a COTS solution will require a great deal of adaptation, including creating CD/ITP specific documentation in Arabic and possibly converting the user interface and some of the content to Arabic.
- **Procurement.** This activity involves all the procurement specific tasks such as drafting procurement documents, obtain approvals, and conducting procurements. This task can initiate immediately after the software evaluation and be executed in parallel with the pilot.
- **Training.** Based on the result of the Pilot this activity will involve developing a training plan, creating a helpdesk support staff, selecting training delivery methodology (computer based training, classroom, etc.), developing training materials and administering the training.
- **Installation.** Tasks related to the installation of hardware and installation and configuration of software.
- **Deployment.** The culmination of all the above project preparation tasks is the deployment of the AWFS in the day-to-day operations of CD/ITP. This final task involves refining the deployment methodology based on the results of the pilot, securing deployment resources and ensuring all users utilize the AWFS as intended.

A more detailed sequence of tasks and subtasks comprising these activities are presented in Gantt format in Attachment 3 and in WBS (Work Breakdown Structure) format in Attachment 4. This project plan is only intended at this stage to orient the planning on the AWFS implementation. As in any such endeavor, revising, adapting, developing in further detail, and tracking the project activities is of paramount importance.

7 Resource Requirements and Cost Estimates

Based on a preliminary assessment, the following resources will be required to implement the AWFS.

7.1 Software

Besides the Operating Systems (Windows 2000 for servers, Windows 2000/XP for Desktops) and the Database System (MS SQL Server 2000), depending on the off-the-shelf package selected as the core of the AWFS, additional specialized software may or may not be required for imaging and physical records management. Intranet/extranet portal development software may also be required. Attachment 6 shows indicative prices of sample of packages ranging from the top-of-the line integrated solutions to those in the low-end offering basic case management functionality. These packages were selected to illustrate the wide range of prices, features, capabilities, training and support options available.

7.2 Hardware

Subject to further adjustments resulting from the software evaluation task and the business process definition task, a preliminary estimate of the hardware required is listed in the table below:

Item	Number	Unit Price	Total
Network Server	1	\$5,000	\$5,000
Database server	1	\$5,000	\$5,000
Desktops	30	\$1,800	\$54,000
Network printers	2	\$1,400	\$2,800
High capacity scanners	2	\$1,000	\$2,000
Desktop scanners	5	\$200	\$1,000
Networking hardware (NICs, hubs, cabling)	1	\$5,000	\$5,000
Bar-code wands	10	\$200	\$2,000
Bar-code label printers	2	\$1,000	\$2,000
High capacity copier	1	\$7,000	\$7,000
Commercial off the shelf software (COTS)			\$14,000
Total			\$99,800

Based on somewhat dated specifications from the top-of-the-line vendors a recommended configuration to support 50 users is a Dual PIII/650 512MB for the main server and a P/200 64MB for the desktops. Given rapidly falling prices and procurement time lags, these requirements are likely to be comfortably met.

High capacity sheet-fed scanners required for imaging ranging from 15 to 120 pages per minute (see Attachment 5). Unless the results of imaging workload estimation in task 2 show otherwise, the low-end high capacity scanners in the 15-25 ppm range should be sufficient.

Similarly, the exact number of workstations, desktop scanners (if any), bar-code wands, desktop printers (if any), high capacity copiers (if any) should be revised after the initial transaction volumes estimates are completed.

7.3 Technical Assistance Resources

Based on the current understanding of the project, and subject to further refinement as a result of the pilot, technical assistance human resources required are the following:

- Business Process Consultant(s) to document business processes, quantify transaction volumes and define information requirements.

The Business Process Reengineering/Redesign consultants should have demonstrated experience in the analysis and redesign of business process and in automation of manual, paper-based workflows with the introduction of imaging technologies and physical records management solutions. The consultants should have experience in applying process redesign methodologies in environments with little or no office automation. The consultants should have experience in inventorying and documenting manual office procedures and applying BPR methodologies to optimize them. Familiarity with trade remedies procedures and terminology is desirable.

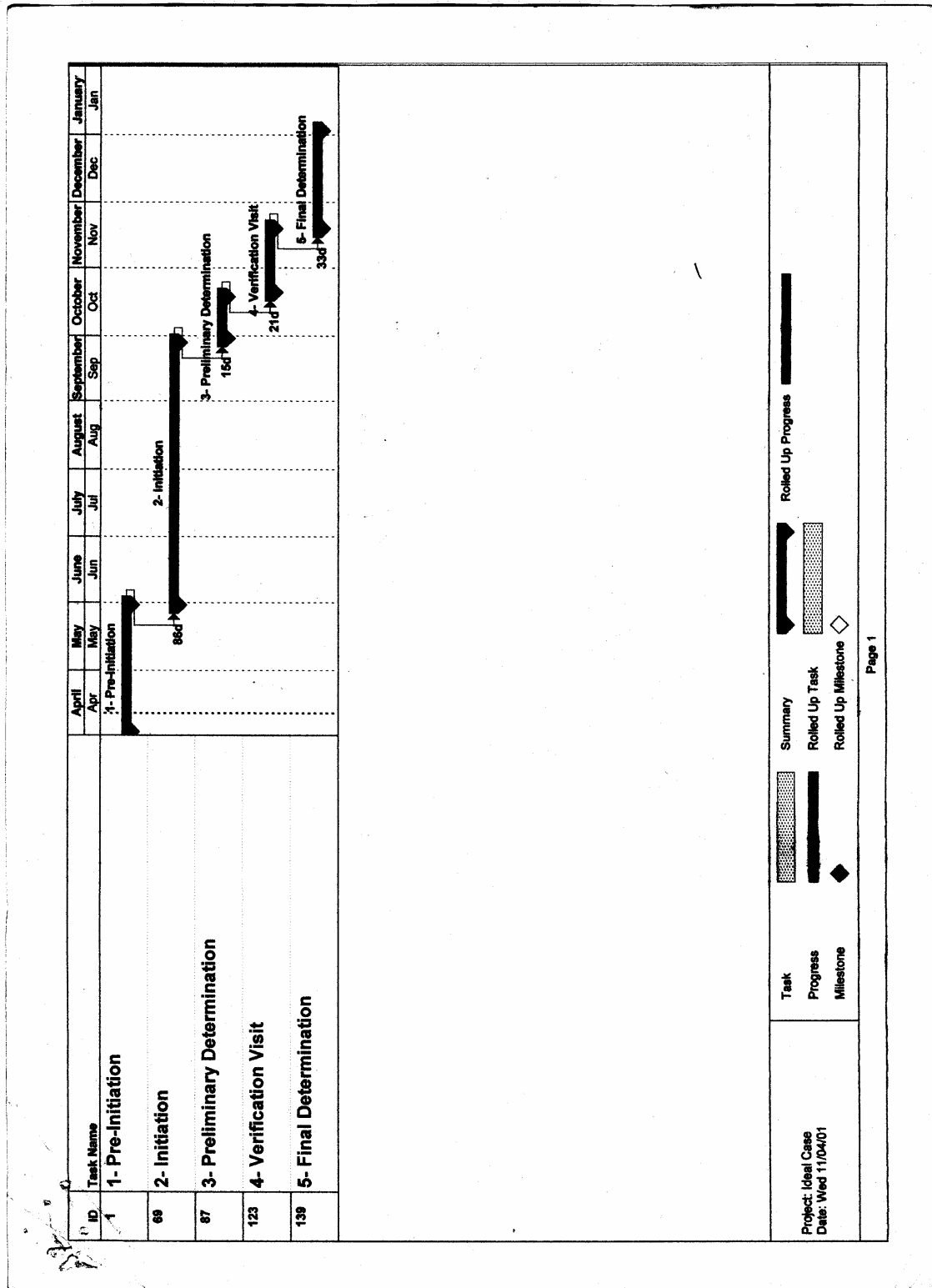
- An IT consultant to evaluate and select the off-the-shelf solution components required.

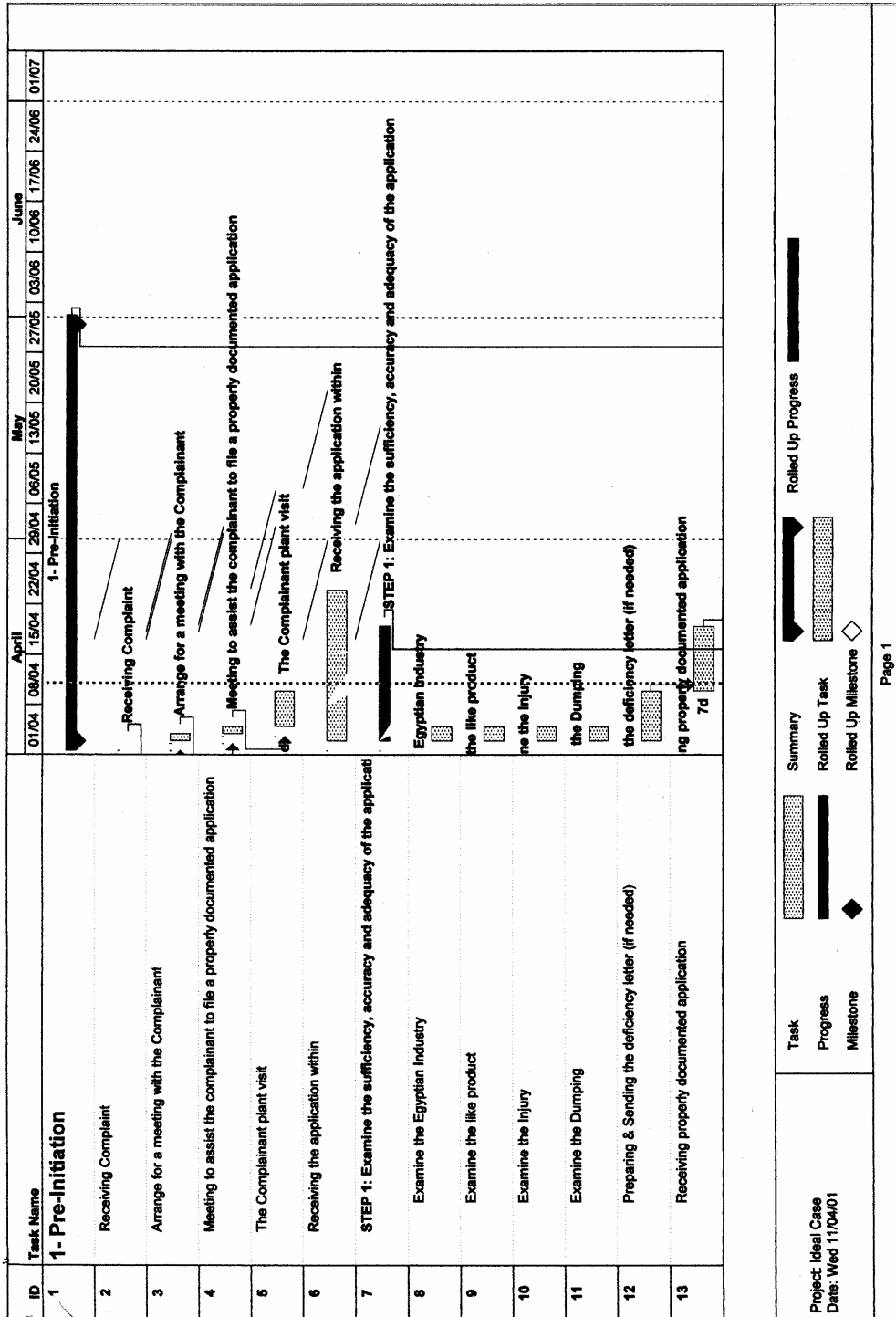
The IT consultant should have demonstrated experience in the preparation of specifications for the evaluation of off-the-shelf software and in software evaluation methodologies including the design of evaluation criteria for the comparison of software packages features and functionality. Familiarity with Case Management software is desirable.

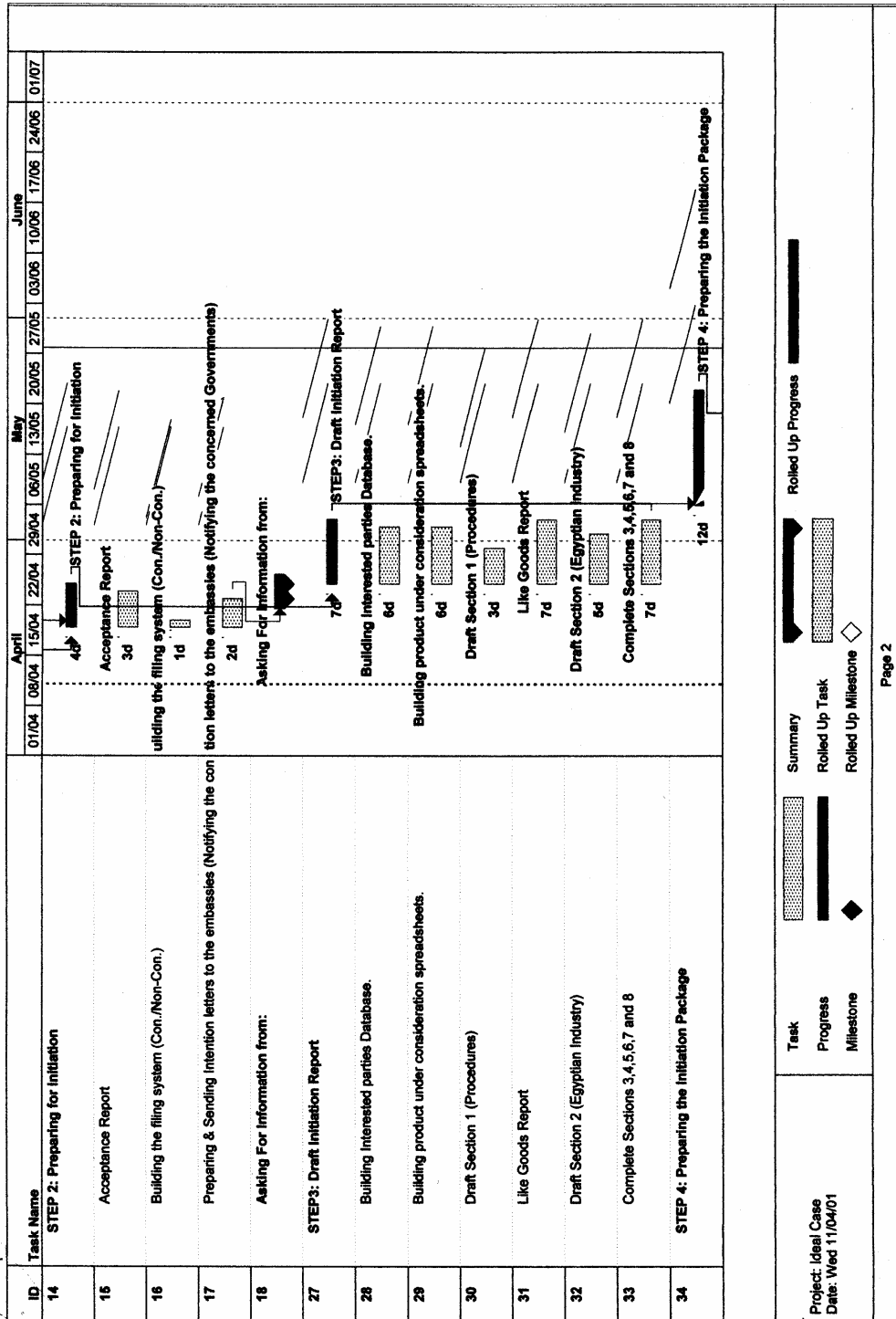
- A team of local trainers from both the ATR project and CD/ITP staff, as appropriate, to be trained by the vendor and to train the remainder of the CD/ITP staff.
- A team of CD/ITP staff that will be selected to carry out the pilot stage and that will become the deployment team
- A team of project staff responsible for the procurement activities.

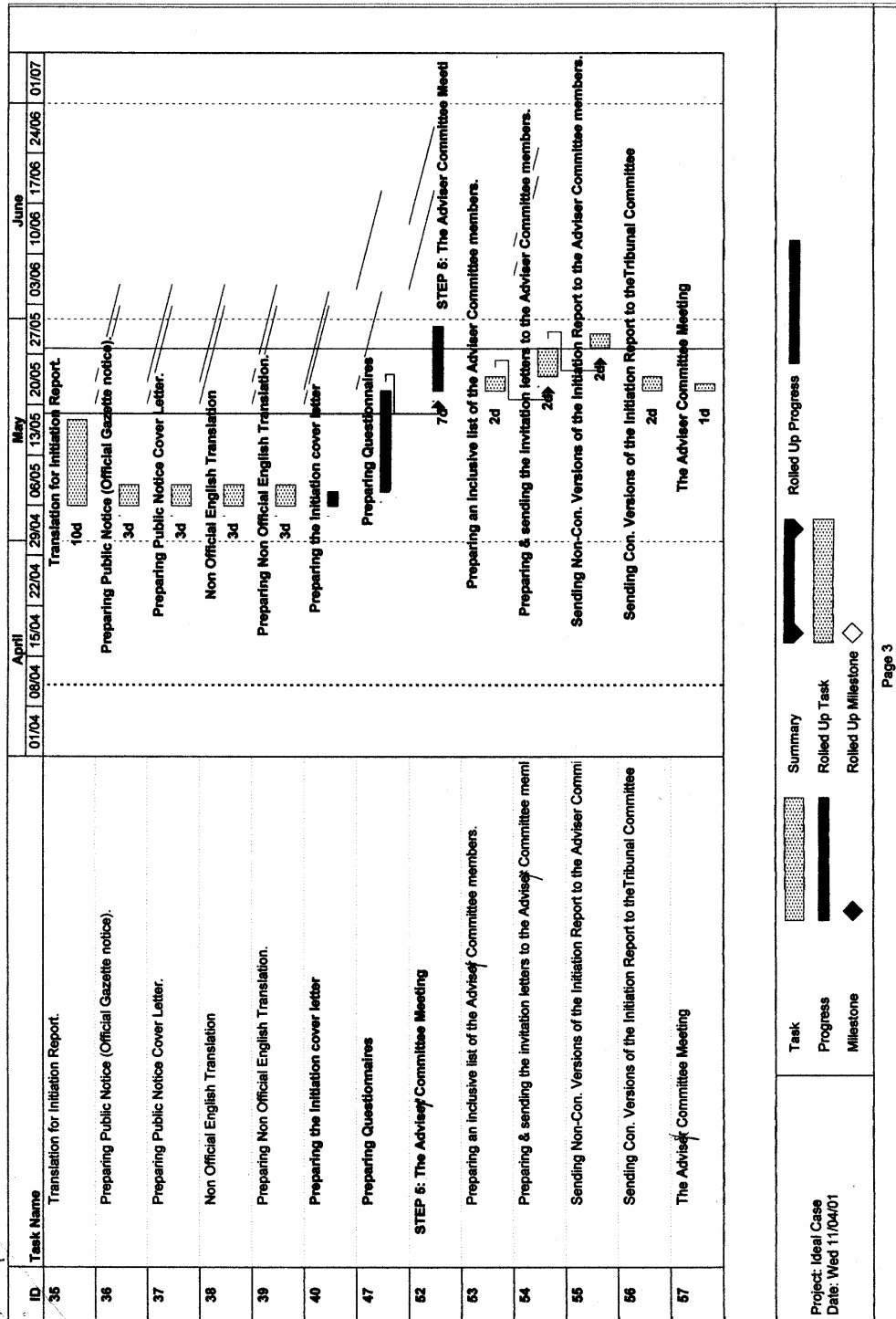
Attachment 3 shows the projected timing and length of their interventions. Attachment 7 shows the projected level-of-effort.

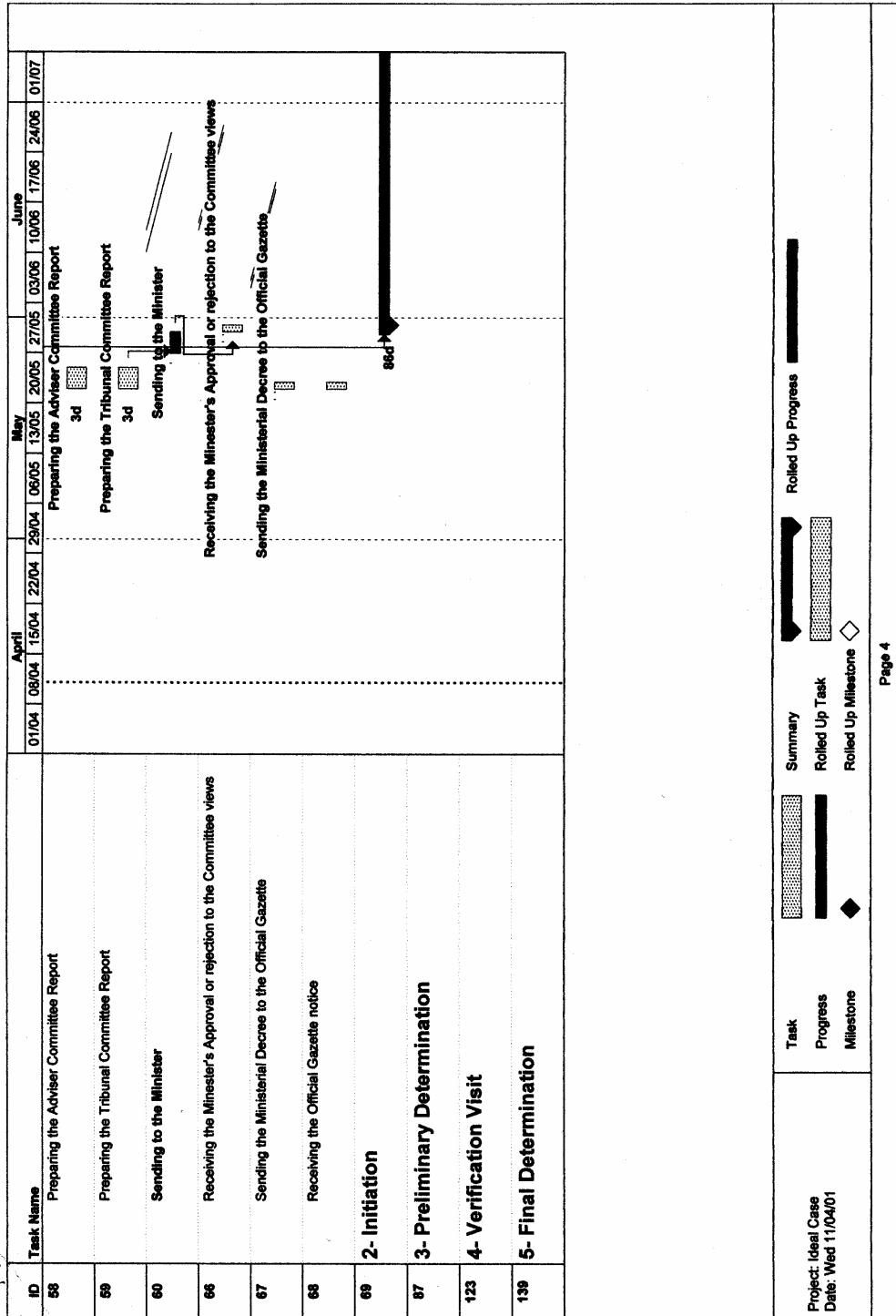
Attachment 1 – Sample Business Processes







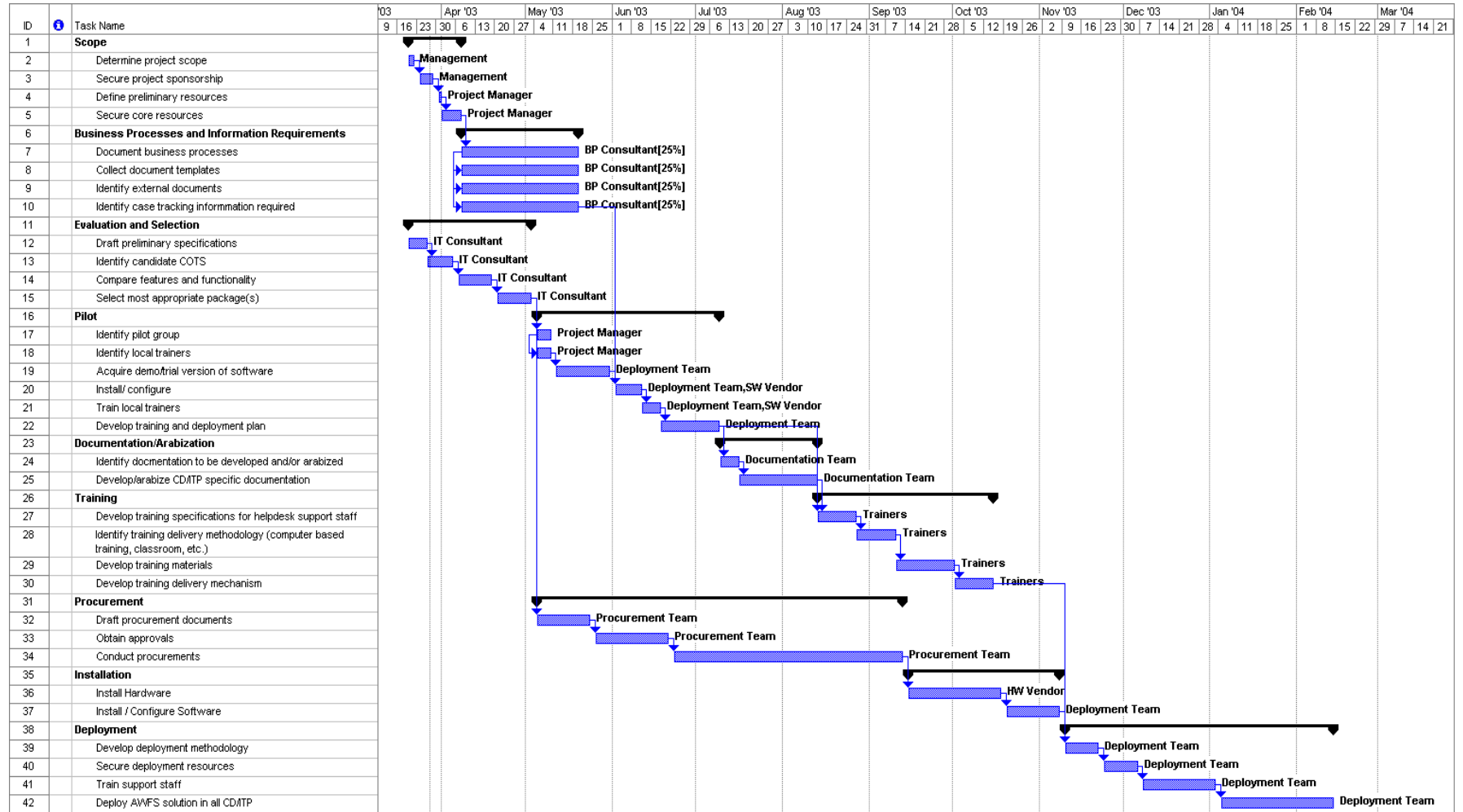




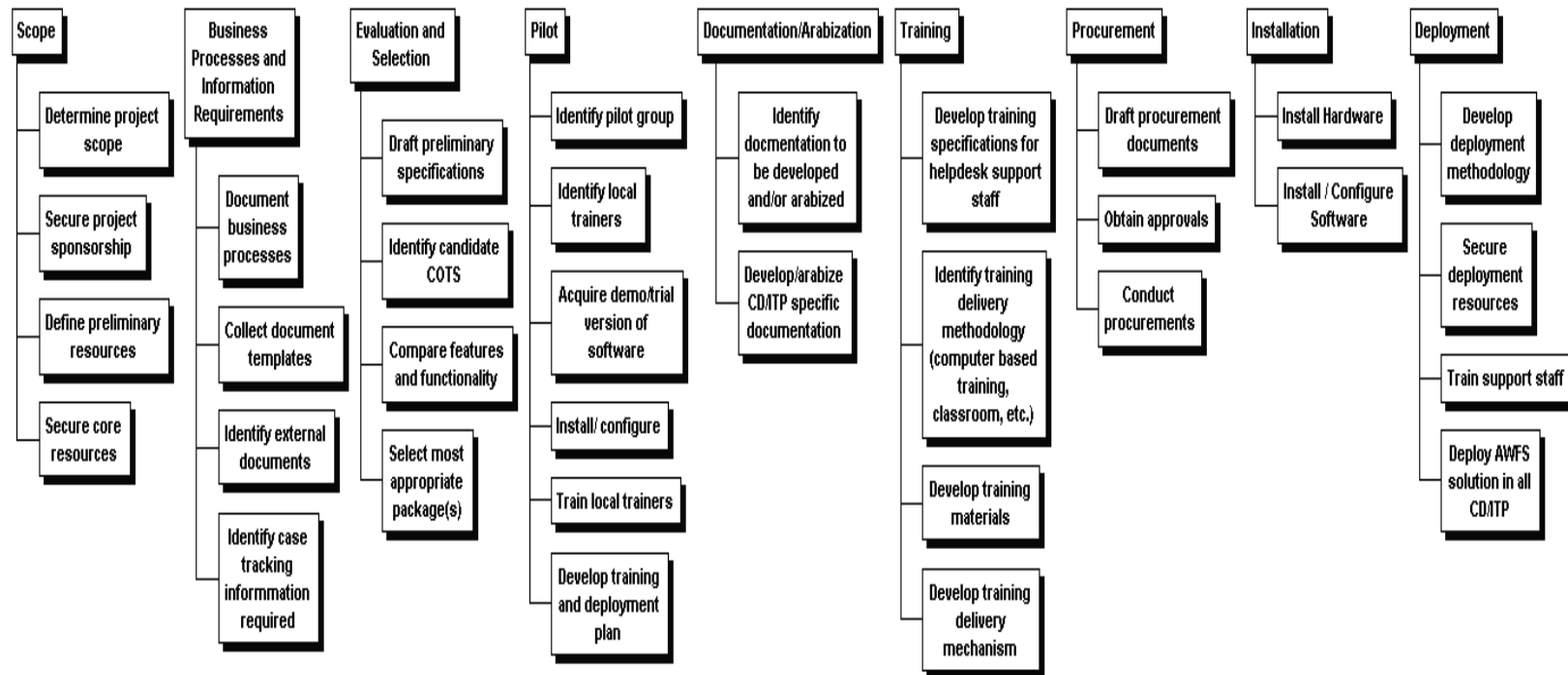
Attachment 2 – Off-the-Shelf Case Management software

Vendor	Product	Website
Abacus Data Systems, Inc.	<i>AbacusLaw</i>	www.abacuslaw.com
ADC Legal Systems, Inc.	<i>Perfect Practice Case Management</i>	www.adclegal.com
Chesapeake Interlink, Ltd.	<i>Needles</i>	www.needleslaw.com
Computer Law Systems, Inc.	<i>CLS/Summit: The Total Practice Solution</i>	www.clssummit.com
Client Profiles, Inc.	<i>Client Profiles</i>	www.clientprofiles.com
Corporate Legal Solutions	<i>Case & Point</i>	www.caseandpoint.com
DATA.TXT Corp.	<i>Time Matters</i>	www.timematters.com
De Novo Systems, Inc.	<i>Trial De Novo</i>	www.denovosys.com
Economic Analysis Group, Ltd.	<i>CaseTrack</i>	www.case-track.com
EsqWare, Inc.	<i>EsqWare</i>	www.esqware.com
Gavel & Gown Software, Inc.	<i>Amicus Attorney</i>	www.amicusattorney.com
Law.com	<i>Practice Manager</i>	www.reallegal.com
Lawex	<i>TrialWorks</i>	www.trialworks.com
Legal Edge Software	<i>LegalEdge</i>	www.legaledge.com
Legal Files Software, Inc.	<i>Case Management Groupware</i>	www.legalfiles.com
Perfect Law	<i>PerfectLaw</i>	www.perfectlaw.com
Practice Technology, Inc.	<i>Prevail</i>	www.prevail.net
ProLaw Software	<i>ProLaw</i>	www.prolaw.com
Software Technology, Inc.	<i>PracticeMaster</i>	www.stilegal.com
Synaptec Software, Inc.	<i>Law Base</i>	www.lawbase.com
ACS/Legal Software, Inc.	<i>CLAIMS</i>	http://www.legalware.com/
Bridgeway Software	<i>LawQuest</i>	www.bridge-way.com
caseManagerPro	Solutions In Software, Inc.	www.casemanagerpro.com
CMSOpen	<i>CMSOpen</i>	www.cmsopen.com
Computerized Litigation Control Systems, Inc.	<i>21st Century Lawyer</i>	www.21stcenturylawyer.com
Corprasoft, Inc.	<i>Corprasoft Legal Desktop</i>	www.corprasoft.com
Cycom Data Systems, Inc.	<i>CityLaw and CountyLaw</i>	www.cycominc.com
Data Development, Ltd.	<i>The Plaintiff</i>	www.theplaintiff.com
Elite Information Group, Inc.	<i>Law Manager</i>	www.lmi.com
Hummingbird, Inc.	<i>LawPack</i>	http://www.hummingbird.com/
Inslaw, Inc.	<i>Modulaw</i>	http://www.inslawinc.com/
LawTrac Corporation	Development <i>LawTrack</i>	http://www.lawtrac.com/
Microfirm, Inc.	<i>Prosecutor II</i>	http://www.microfirm.com/
Mitratesh, Inc.	<i>Mitratesh</i>	http://www.mitratesh.com/
SAGA, Inc.	<i>Saga Practice Manager</i>	http://www.sagasys.com/
Scarmanella & Hoofnagle	<i>Managing Partner</i>	http://www.scarahoof.com/

Attachment 3 – AWFS Implementation Plan – Gantt Chart



Attachment 4 – AWFS Implementation Plan – Work Break Down Structure



Attachment 5 – High Capacity Scanners

Scanner Comparison Chart

	Model	Binary ¹		Color ²		Page	ADF	Flatbed	SW	HW	Perfect	Warranty	Price
		ppm	ipm	ppm	ipm	Size	Size	Scanning	VRS	VRS	Page		
Fujitsu	SP 15C	15	-	5	-	8.5x14	50	✓	✓	-	-	1 Year Depot	\$1,495.00
	SP 620C	20	-	10	-	8.5x14	50	✓	✓	-	-	1 Year Depot	\$2,250.00
	fi-4120C	25	25	25	25	8.5x14	50	-	✓	-	-	1 Year Exchange	\$1,360.00
	fi-4220C	25	25	25	25	8.5x14	50	✓	✓	-	-	1 Year Depot	\$2,355.00
	M3093GX	27	-	-	-	8.5x14	50	✓	✓	-	-	1 Year Depot	\$4,495.00
	fi-4340C	40	80	34	48	8.5x14	100	✓	✓	-	-	1 Year Depot	\$7,095.00
	fi-4640S	45	-	-	-	11x17	100	✓	✓	-	-	1 Year Depot	\$7,450.00
	fi-4750C	50	90	20	40	11x17	100	✓	✓	-	-	1 Year Onsite	\$12,500.00
	fi-4750L	55	100	-	-	11x17	250	✓	-	-	-	1 Year Onsite	\$13,500.00
	M4097D	50	90	-	-	11x17	100	✓	-	✓	-	1 Year Onsite	\$10,500.00
Kodak	fi-4860C	60	120	60	120	11x17	500	-	-	-	-	1 Year Onsite	\$24,500.00
	M4099D	90	180	-	-	11x17	1000	-	-	✓	-	1 Year Onsite	\$33,250.00
	fi-4990C	90	180	90	180	11x17	1000	-	-	-	-	1 Year Onsite	\$42,995.00
	i50	20	-	10	-	8.5x14	75	✓	✓	-	-	1 Year Exchange	\$2,400.00
	i60	25	50	10	20	8.5x14	75	✓	✓	-	-	1 Year Exchange	\$3,900.00
	i250	40	-	53	-	12x17	100	-	-	-	-	1 Year Depot	\$6,900.00
	i260	40	80	53	106	12x17	100	-	-	-	-	1 Year Depot	\$9,300.00
	DS-2500D	50	100	-	-	12x33	300	-	✓	-	-	90 Day Exchange	\$13,395.00
	DS-3500S	60	-	-	-	12x26	150	-	-	-	-	90 Day Onsite	\$25,480.00
	DS-3500D	60	120	-	-	12x26	150	-	-	-	-	90 Day Onsite	\$31,480.00
Bell & Howell	DS-3590C	60	120	40	80*	12x26	150	-	-	-	-	90 Day Onsite	\$44,990.00
	DS-4500D (P)	-	-	40	80	12x26	150	-	-	-	-	90 Day Onsite	\$40,490.00
	DS-3520D	67	134	-	-	12x26	250	-	-	-	✓	90 Day Onsite	\$35,990.00
	i810	97	194	-	-	12x30	1000	-	-	-	✓	90 Day Onsite	\$82,500.00
	i820	97	194	97	194	12x30	1000	-	-	-	✓	90 Day Onsite	\$97,500.00
	DS-9520D	102	204	-	-	12x30	300	-	-	-	✓	90 Day Onsite	\$134,280.00
	i830	129	258	-	-	12x30	1000	-	-	-	✓	90 Day Onsite	\$112,500.00
	i840	129	258	129	258	12x30	1000	-	-	-	✓	90 Day Onsite	\$127,500.00
	500FB	24	-	-	-	11x17	30	✓	✓	-	-	1 Year Manufacturer	\$3,867.25
	730DC	31	12	14	8	11x17	50	✓	-	-	-	1 Year Manufacturer	\$5,417.25
Canon	1000FB	36	-	-	-	11x17	100	✓	-	-	-	1 Year Manufacturer	\$7,742.25
	2000SFB	57	-	-	-	11x17	150	✓	-	-	-	1 Year Manufacturer	\$7,742.25
	2000DFB	57	88	-	-	11x17	150	✓	-	-	-	1 Year Manufacturer	\$10,532.25
	2020DFB-VRS	57	64	-	-	11x17	150	✓	-	✓	-	1 Year Manufacturer	\$13,942.25
	8080S	65	-	-	-	11x17	500	-	-	✓	-	1 Year Manufacturer	\$26,342.25
	8080D	65	130	-	-	11x17	500	-	-	✓	-	1 Year Manufacturer	\$32,542.25
	8100D	88	176	-	-	11x17	500	-	-	✓	-	1 Year Manufacturer	\$38,742.25
	8125D	100	200	-	-	11x17	500	-	-	✓	-	1 Year Manufacturer	\$57,342.25
	DR2080C	20	40	10	20	8.5x14	50	-	-	-	-	90 Day Depot	\$1,695.00
	DR3060	32	64	-	-	10x14	100	-	-	-	-	90 Day Depot	\$6,700.00
Ricoh	DR3080C	32	64	5	10*	10x14	100	-	✓	-	-	90 Day Depot	\$7,400.00
	DR4080U	47	47	-	-	11x17	200	✓	✓	-	-	90 Day Depot	\$11,995.00
	DR5020	53	105	-	-	11x17	500	-	-	-	-	90 Day Depot	\$10,495.00
	DR5080C	53	105	10	14	11x17	500	-	✓	-	-	90 Day Depot	\$13,495.00
	IS-01	26	-	-	-	11x17	30	✓	✓	-	-	1 Year Manufacturer	\$4,650.00
	IS-450SE	57	-	-	-	11x17	150	✓	-	-	-	1 Year Manufacturer	\$7,750.00
	IS-450DE	57	88	-	-	11x17	150	✓	-	-	-	1 Year Manufacturer	\$10,550.00
	IS-450DE-VRS	57	64	-	-	11x17	150	✓	-	✓	-	1 Year Manufacturer	\$15,500.00

* Color Front, Bicolor Back

* Color Front, Grayscale Back

Attachment 6 – Off-the-shelf Case Management Software Indicative Prices

	ProLaw Software	Legal Files	Trial Works	Abacus Law	Time Matters	Amicus Attorney	Perfect Practice
Number of installed sites	1400+	300+	500+	16,000	12,500+	15,000+	150+
MultiUser Prices	\$4,995 (5 Professionals) \$9,995 (10 Professionals) \$18,995 (20 Professionals) \$39,995 (50 Professionals)	\$995/user	\$495/Additional license	\$799 (5-user package)	\$150 (Professional Edition; 2+ users) \$400 (Enterprise Edition; 2+ users)	Advanced Edition: \$299/seat Client/Server Edition: \$499/seat	\$595/seat (up to 29 users); \$560/seat (up to 59 users); \$490/seat (up to 249 users);
Installation		\$2,000/day	Self Installable or installed for a fee	\$49	\$800/day	N/A	included in training allowance
Training		\$1,000 - \$1,500/day	\$1,500; Discounts for a week	none	\$1,500/day	Varies by Consultant	\$1,900 for 20 hour "Silver Plan"; \$3,600 for 40 hour "Gold Plan";
SW Maintenance	\$995 (5 Professionals) \$1,995 (10 Professionals) \$3,795 (20 Professionals) \$7,995 (50 Professionals)	10% of Software Purchase Price	\$195 if purchased with license; \$249 if purchased later	N/A	Not required for Professional or Enterprise Editions; 20% for World Edition	N/A	included with Annual Unlimited Support Agreement
Support	Included with Maintenance	10% of Software Purchase Price	Maintenance and Support are combined in a yearly charge and also includes product upgrades.	\$129/user + \$49/add'l user	Free for first 90 days; \$35/call or \$250 for block of 10 calls	\$149/year (1 user) \$249/year (2-6 users) \$40/year (7+ users)	\$125/hour (Hourly rate); Annual Unlimited Support Agreement: \$2,500 (up to 29 users); \$2,500 (up to 29 users); \$3,500 (30 - 74 users); \$4,500 (75+ users)

Attachment 7 – Projected Level of Effort (person/days)

ID	Resource Name	2003										2004		Total
		Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	
1	Management	7												7
	Determine Project Scope	2												
	Secure project sponsorship	5												
2	Project Manager	1	5	5										11
	Define Preliminary resources	1												
	Secure core resources		5											
	Identify pilot group			3										
	Identify local trainers			3										
3	Bp Consultant		17	13										30
	Document business processes		5	4										
	Collect document templates		5	4										
	Identify external documents		5	4										
	Identify case tracking information required		5	4										
4	IT Consultant	8	22	2										32
	Draft preliminary specifications	5												
	Identify candidate COTS	3	4											
	Compare features and functionality		10											
	Select most appropriate package(s)		8	2										
5	Trainers					13	22	11						46
	Develop training specifications for help desk support					10								
	Identify training delivery methodology					3	8							
	Develop training materials						15	1						
	Develop training delivery mechanism							10						
6	Documentation Team					17	9							26
	Identify documentation to be developed and/or arab					5								
	Develop/arabize CD/ITP specific documentation					12	9							
7	Development team			2	21	7			10	20	23	23	10	116
	Acquire demo/trail version of software			2										
	Install/configure				8									
	Train local trainers				5									
	Develop training and development plan				9	7								
	Install/Configure Software								10	5				
	Develop deployment methodology									10				
	Secure Deployment resources									5	5			
	Train support staff										18	3		
	Deploy AWFS solution in all CD/ITP											20	10	
8	Procurement team			17	5	5	5	2						34
	Draft Procurement documents			15										
	Obtain approvals			2	4									
	Conduct procurements				1,2	5	5	2						
9	SW Vendor				13									13
	Install configure				8									
	Train local trainers				5									
10	HW Vendor							12	13					25
	Install Hardware							12	13					
	Total	16	44	39	39	29	27	36	34	20	23	22	10	340

Appendix A – Trip Report by Mr. Lance Graef

Report on Substantive Issues with Respect to the Implementation of an
Automated Work Flow System for the Central Department of International
Trade Policies

By Lance Graef
Nathan Associates, Inc.
13 March 2003

Report on Substantive Issues with Respect to the Implementation of an Automated Work Flow System for the Central Department of International Trade Policies

Work on this assignment was initiated in a meeting with the Under-Secretary and Head of Anti-dumping, Subsidy & Safeguard Department, Foreign Trade Policy Sector. Subsequent meetings were held with the four section heads (Anti-dumping, Safeguards & Injury Calculations, Subsidies & Countervailing Duties, and Trade Remedies Information), the IT director, and several investigators. The Under-Secretary outlined the requirements he sought from an automated workflow system (AWFS). These requirements were elaborated by the section heads. The requirements may be summarized in six categories: workflow management, standardization of investigation procedures, updates on WTO decisions affecting AD/Subsidies/Safeguards, precedents (searchable), archives, and transparency (public access).

Workflow management: An AWFS should have a record of each document submission, and should enable key managers to know the progress of the investigation in each phase. Section managers also expressed the need for software to generate a detailed work plan for each investigation. Trade remedy investigations are subject to legal deadlines (see section below) and generate significant electronic and paper files. Because trade remedy decisions are subject to review in Egyptian courts or WTO disputes a complete record of each investigation must be maintained.

Trade remedy investigations generate large electronic and paper files. Each request the department makes for information, or decision must be explained. Questionnaire data from domestic producers, importers, foreign producers, and exporters must be collected. Fully documented questionnaire responses may run into hundreds of pages. For example, the period of investigation covered by the foreign producer and exporter questionnaire is a year, and a record of all sales of like products in the home market is required. Similarly costs of production supported by back up documents, and export prices must be supplied. Much of this documentation is submitted on paper. Department procedures require that four reports (both a confidential and non-confidential version) be prepared during different stages of the investigation (see below) – acceptance, initiation, essential facts report, and the final report.

Currently the Department appears to have a thorough but manual document registry/file system for each case. All filings are catalogued as to type for quick retrieval. The department has no software to plan and monitor the progress of a complete investigation. The Department doesn't have a docket system available to all managers that sets forth the regulatory deadlines in the investigation, nor the time path to reach them (e.g., receive, analyze and compile questionnaire data, file gazette notice, etc.) AN AWFS could also give notice to investigators and managers of expiring provisional

duties, safeguard duty orders that are nearing three years of implementation, and dumping orders in place for 5 years and thus requiring review.

Standardization of Investigation Procedures: Many elements of the three different types of investigation are similar if not identical, as are the requirements in each type of an investigation to explain, gather, and analyze data, complete necessary reports, and to inform parties of decisions and the reasons for them. Templates for required notifications, cover letters and questionnaires and reports appear to be available for safeguard, antidumping and injury investigations.¹

The Under-Secretary has expressed an interest in electronically automated (at least providing a formula) margin and injury analysis. I believe this desire is based on a misapprehension that both the US and the EU have such formulas. My own assessment of the situation is that both follow a methodology, but that there is nothing automatic in the calculation of a margin, or the determination of the injury. In fact in the US with respect to injury analysis, decisions are made by a vote of the Commissioner's and each outlines the basis of his/her determination. Often there are different reasons for those voting either affirmative or negative, and since many decisions are split there is no formula for determining injury. The staff report provides the Commissioner with the facts developed during the investigation. The report is structured to address trends in all the injury criteria set forth in the WTO agreement. In the case of margin analysis there is a methodology, but no formula that I'm aware of.² The EU "formula" as it has been described by Department staff also appears to be a methodological. The data for the calculations may be collected from questionnaire's and compiled in an excel spreadsheet and manipulated by Excel's functions such as pivot table. But construction of the data in the spreadsheet involves judgment and analysis which cannot be automated.

It is clear from the two final reports that I have read that margin and injury analysis in Egypt are also disciplined by a process. Checklists guiding these processes are likely available, or could be constructed. One possible recommendation is to expand this checklist into an investigation manual for margin and possibly injury analysis. Such a manual could be made available to petitioners and the public, in much the same manner as the antidumping manual and questionnaires are made available at the USDOC's website. The Department took the first step on such manual in *The Egyptian System for Antidumping, Subsidies and Countervailing Duties, and Safeguards in the context of the WTO Agreement*. This work should easily be up-dated based on the Department significant case experience since the drafting of this early manual.

¹ The injury standard for fairly traded imports (safeguards) is different than for unfairly traded (dumped or subsidized) imports, requiring a more comprehensive questionnaire generally. While data is collected from exporters to assess threat, Safeguard investigations do not have foreign producers' questionnaires that collect data on normal value including costs of production.

² The methodology is set out in the Anti-dumping manual which is available on the department of Commerce web site (www.ia.ita.doc.gov).

WTO decisions expanding the Trade Remedy Agreements: Almost one third, (89) of the 277 disputes initiated in the WTO concern the implementation of trade remedies. Resolution of one dispute, brought by Turkey against Egypt is nearing complete resolution. 49 cases cover anti-dumping, 12 subsidies, and 28 safeguards. Of the 89, 36 were initiated in the last two years. Thirteen of the cases deal with products that were either investigated or handled by the Department. Currently the Department monitors developing case law on an as needed basis. The volume of the disputes, which is a little misleading since multiple cases have been filed over the same or similar issue, suggest that a data base be built and maintained concerning WTO dispute decisions.³ The data base could be posted on the AWFS.

Precedents (Searchable Archives): The Department has already issued a significant number of decisions, both affirming and denying industry claims of injury. In each issues had to be addressed and decided and the reason for the decision explained. Decisions on similar issues should be guided by the criteria used in the past. Precedent has been established, and should be available to guide investigators in new cases, concerning the information they should collect. It should also be available to the public, including potential participants in new cases.

Archives: Upon the completion of an investigation, the reports and other electronically available documents from the investigation are copied into a single archive file that is maintained on a server and backed up on cd-rom. All of the electronic files on other workstations are to be cleared, a rule that is in practice not honored. Imaging of the paper documents for the case is probably prohibitively expensive, and would likely be limited by expense to only those critical to documenting the case.

Transparency (Public Access): A non-confidential summary of the initiation report is made available to parties upon the initiation of an investigation, as well as a non-confidential version of the essential facts report upon its completion. The non-confidential version of the final report is synonymous with the decision that is published, the only report document made available (upon request) to the general public, including law firms. All other documents, except the required gazette notices, are either confidential, or in the case of a non-confidential version, made available only to authorized representatives of the parties.

The blank questionnaires, which often contain text descriptions of precedents established in prior decisions (e.g., criteria for determining non-market economies and whether individual firms merit individual dumping margins in non-market economies, whether normal value can be based on price comparisons or constructed costs in non-market economies, etc.), are also made available only to parties. The questionnaires for

³ Such a data base should not be limited to trade remedies. Decisions affecting other agreements should also be disseminated to other relevant departments in the Ministry.

trade remedy investigations in other countries are available to the public including posting on the web.

A hearing may be held prior to the essential facts report but only if requested and justified by one of the parties. Only one hearing has been held during anti-dumping investigations.⁴ No public file is made available during the investigation, and all files are archived after an investigation is closed.

It is not the purpose of this report to conduct a compliance assessment of the Department's practices with the WTO agreements. It is clear however from the foregoing that transparency of trade remedy investigations can be increased. Opportunities exist to update and release (see above discussion) the manual for investigations. (The updated manual would also serve to identify the underlying work processes that will be the basis of the AWFS.) Another innovation would be to make the blank questionnaires available. A docket could also be developed identifying active cases and their status in the pipeline. The AWFS might support posting all of this public material on a website. There also benefits to increasing transparency, as interested firms, lawyers, and academic researchers become more informed about the Department's work and the Ministry's decisions. Petitions for relief will improve allowing investigators to focus on the statutory part of their job.

Egyptian Regulatory Deadlines

Law No. 161 in 1998 sets out the specific regulations and procedures for trade remedy actions (antidumping, countervailing, and safeguard duties). Implementation is the responsibility of the Ministry of Foreign Trade. The Head of the International Trade Policies Department (currently the Under-Secretary is designated as the Investigating Authority (Article 4-9). Rejection of an application, initiation or termination of investigation, provisional or definitive measures is based upon the decision of the Minister upon the recommendation of an Advisory Committee (Article 10). The full law regulations, relevant WTO Agreements, and manual of the Antidumping, Subsidy & Safeguard Department of the Ministry of Foreign Trade is contained in the book, *The Egyptian System for Antidumping, Subsidies and Countervailing Duties, and Safeguards in the context of the WTO Agreement*. Antidumping and, subsidy investigations must be completed in 12 months of initiation (Article 11). Safeguards investigations must be completed in three months after initiation (Article 31).

Applications for relief are to be accepted or rejected in 7 working days (Article 16). In practice the Department may work with complaining firms for several months helping them understand the requirements of the law and the need to provide sufficient

⁴ While it is not the purpose of this assignment to comment on the compliance of Egyptian procedures with the WTO agreement, transparency in Egypt's anti-dumping procedure is minimal relative to the practices of other WTO members of which the author is aware. Procedurally parties' comments are invited only in response to the essential facts report, although they are received after the initiation summary as well.

indication that a case be accepted. Subsequent to acceptance the Department has 30 days to submit a report on the accuracy and adequacy of the evidence supporting the case to an Advisory Committee which in turn has 10 days to make a recommendation to the Minister to initiate an investigation (Article 17). If initiation is rejected the reasons must be notified to the applicant within 7 days.

Egyptian regulation (Article 44) also permits the imposition of provisional duties 60 days after the initiation of a case. To apply a provisional duty the Department must conclude that injury to the domestic industry is being caused by dumping. If the provisional duty is set at the estimated margin of dumping it can be in effect for 4 months extendable to six, but if less than the estimated margin it can be applied for 6 months extended to 9. The Department has applied provisional duties in several cases but all involved countries that were not members of the WTO at the time of application.

Article 55 of the legislation allows interested parties to request a review of the application of dumping duties after the duty has been applied for one year. If warranted the Department will conduct such an investigation which could lead to termination of the measure. The same Article also provides for a 5 year review of the application of dumping measures. This review is required by the WTO Agreement. Article 56 allows parties to request the review beginning 6 months before the 5 year anniversary of measures, and allows 12 months for the investigation.

Workload/Staffing

Between June 1998 and January 2003 Egypt took anti-dumping or safeguards actions 35 times. Dumping duties accounted for 30 actions and were applied to 12 products imported from 21 different countries. (Annex i lists the cases by product and country, and Annex ii identifies the actions taken with respect to products and countries.) Slightly more than half of these actions covering 8 of the products applied only to non-WTO members including China⁵, Latvia⁶, Saudi Arabia, Ukraine, Russia, Kazakhstan and Syria. The balance of dumping actions, covering 4 products imported from 14 different WTO countries, and were notified as required. Investigations were completed on two additional cases but no dumping duties were applied. There are 5 active new investigations, 2 sunset reviews, and 2 cases nearing acceptance by the Department. In one instance, dumping duties against imports of stainless steel sinks from Spain and Greece were allowed to expire after 5 years. During the same period 38 pending cases

⁵ Six cases were brought against imports from China before it became a member of the WTO. A list of products and countries can be found in annex i.

⁶ Latvia became a member after a dumping action taken in 1998. The duties on steel re-enforcing bars are currently the subject of a 5 year "sunset" review.

where either not accepted or terminated before initiation.⁷ Dumping duties have not been applied against agricultural products.

The Department has not initiated a case based on subsidized imports. Two complaints were received. In one case no evidence of injury was received, and in the other the complainant did not complete its filing, because imports in question were banned for health reasons.

Five safeguards investigations have been completed. Safeguard duties were set in three cases, matches, fluorescent lamps and powdered milk. In the former two cases safeguards duties were allowed to expire after three years of implementation. Safeguards duties on powdered milk will expire in September, 2003. Negative decisions were taken in two cases, both Urea, when the complaining industry failed to demonstrate injury. Another case on sports footwear was not initiated because of evidence of injury had not been presented.

Despite the dominance of anti-dumping activity the workload is fairly evenly shared among the three operating sectors, because the safeguards section conducts injury investigation/analysis, and the subsidies section is assigned dumping cases. The Trade Remedies Unit appears to have a thorough document registry/file system for each case. All filings are catalogued for quick retrieval.

Stages of investigation

There are four stages of an investigation: acceptance, initiation, determining the essential facts, and a final decision.

Acceptance Stage: The acceptance stage of the investigation generally lasts far longer than the seven day period for acceptance found in the regulations. Informally Department investigators may be in contact with complaining firms for several months, outlining the necessary elements of a petition and information sources to develop the information complete enough to merit acceptance. This phase before a complaint is officially considered for acceptance almost always begins by meetings with the applicant/applicants, and often requires written requests from investigators, and perhaps assistance from CRS representatives in establishing normal values in foreign markets. Firms that don't cooperate during this informal phase are terminated quickly for not supplying sufficient information. An acceptance report must be prepared, and the Embassy notified subsequent to acceptance. Several of the 38 anti-dumping cases that were terminated were terminated during this phase. Upon acceptance a file system (non-confidential and confidential) is established.

⁷ The Department is providing a list of the dates, stages of investigation, and possibly the source countries of the alleged dumped products. Three of terminated cases appear to have reappeared as investigations that conclude in findings of dumped products. A full list of these cases is attached as annex iii.

Initiation Stage Leading to an Initiation Report: This stage of the investigation is subject to a time limit. Evidence is sought to document the case. An initiation report must be prepared and presented to the Advisory Committee within 30 days and Committee must make a recommendation to the Minister within 10 days, a total of 40 days.

During this stage the domestic industry is identified to assess standing, and the like product is defined. Relevant business and importer associations and industry chambers are also notified. Customs data is obtained for analysis, and identification of importers. Import data and export data is also assembled for analysis. The initiation report for Advisory Committee, documents the “*prima facie*” case, assessing the apparent level of dumping or subsidization, the absolute and relative level of imports, injury indicators, and the nexus between them. Subsequent to a positive Advisory Committee recommendation, a Gazette notice is prepared, questionnaires and cover letters finalized, and a non-confidential summary of the initiation drafted. Subsequent to Minister’s affirmative decision this material is released. After a negative decision a report outlining the reasons for rejection is prepared in 7 days to deliver to the applicant/s.

Data Gathering Phase Leading to Essential Facts Report: This phase of the investigation has no explicit regulatory time limit. By regulation a decision must be reached within 12 months, but generally this phase of the investigations lasts up to 6 months from acceptance.

During this phase of the investigation questionnaires are sent to domestic producers, importers, exporters and Respondent Producers. Domestic firms are given 30 days to respond while foreign firms are given 37. These deadlines are often extended liberally. Deficiency letters are sent identifying inadequate responses. Verification trips are made to responding firms to document the accuracy of responses. In the case of inadequate responses alternative public data are sought. This phase of the investigation concludes with the approval of an Essential Facts Report by the Advisory Committee. A non-confidential version of the EFR is sent to all parties for comments. The deadline for comments is 10 days.

A hearing may be held during this phase of investigation if requested and justified by a party to the investigation. Hearings are only infrequently held for dumping cases, while safeguards investigators try to hold a hearing for each case.⁸

Final Report Stage: This phase of the investigation leads to a final decision on the case which is recorded in the final report. The final report details the steps in the investigation, the facts considered, and the recommendation made to the Minister. Comments from the parties are considered and disposed of during this phase. Upon the

⁸ The injury standard for a safeguards case is more exacting. Other causes of injury are more important in the case of safeguards cases where serious rather than material injury must be established.

approval of the recommendation by the Minister a non-confidential version of the report is published as the decision in the case.